



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

July 12, 2013

James Balsiger, Ph.D.
Administrator, Alaska Region
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
P.O. Box 21668
Juneau, Alaska 99802

Re: The EPA comments on the Draft Environmental Impact Statement for the Steller Sea Lion Protection Measures for the Groundfish Fisheries in the Bering Sea and Aleutian Island Management Area, Alaska, EPA Project #01-061-NOA.

Dear Mr. Balsiger:

Thank you for the opportunity to review the National Marine Fisheries Service Draft Environmental Impact Statement for the Steller Sea Lion Protection Measures for the Groundfish Fisheries in the Bering Sea and Aleutian Island Management Area in southwest Alaska (CEQ# 20130127).

We have reviewed the EIS in accordance with our responsibilities under National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions as well as the adequacy of the EIS in meeting procedural and public disclosure requirements of NEPA. We have given the EIS an overall rating of LO (Lack of Objection). A description of our rating system is enclosed.

We recognize the tremendous effort of the Service to produce a thorough analysis that articulates the anticipated impacts of a complex proposal. We believe that the visual graphics, maps, and effects and alternatives comparison tables are very useful to the reader. Finally we appreciate that the Service has partnered not only with the U.S. Coast Guard and U.S. Fish and Wildlife Service as cooperating agencies, but also with the Alaska Department of Fish and Game, as the fisheries impacted by this decision are of tremendous importance to the State of Alaska.

Based on our review of the EIS we believe that Alternative 5 is a practical combination of some of the more beneficial aspects of other alternatives for the Atka mackerel, Pacific cod and Pollock fisheries, based in large part in response to stakeholder concerns identified during scoping. We also note that an intensive monitoring program will be implemented with this alternative, and adjustments made as results are assessed. As such, we do not have concerns regarding the preferred alternative and offer no additional suggestions for further minimizing impacts.

Again, we appreciate the opportunity to offer comments on the Draft EIS. Please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov or you may contact Jennifer Curtis of my staff in Anchorage at (907) 271-6324 or curtis.jennifer@epa.gov with any questions you have regarding our comments.

Sincerely,

A handwritten signature in blue ink, reading "Christine B. Reichgott". The signature is fluid and cursive, with a stylized "H" at the end.

Christine B. Reichgott, Manager
Environmental Review and Sediments Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.